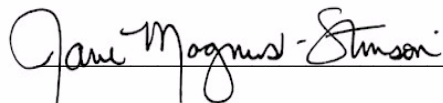


sary to know Mr. Webb's citizenship because he also asserts individual claims on his own behalf.

Finally, Plaintiffs also fail to plead the citizenship of Plaintiffs Jane E. Lingenfelser and Jacklyn Y. Decker, as personal representatives of Ms. Webb's estate for the sole purpose of collecting damages for wrongful death. While Plaintiffs may view it as repetitive to plead the citizenship of these parties because it appears that they will also have the same citizenship as Ms. Webb, 28 U.S.C. § 1332(c)(1), for purposes of clarity, Plaintiffs should affirmatively plead the citizenship of every party.

It is unclear whether Plaintiffs did not properly plead their respective citizenships because they contest diversity jurisdiction or because they accept the representations as to diversity made by Defendants in their removal petition. Regardless of the reason, it is always a federal court's responsibility to ensure that it has jurisdiction. *Hukic v. Aurora Loan Servs.*, 588 F.3d 420, 427 (7th Cir. 2009). And now that the Plaintiff has filed an Amended Complaint in federal court, it must comply with federal standards. Therefore, the Court **ORDERS** Plaintiffs to file a Second Amended Complaint setting forth the citizenship of each party to this action by **June 13, 2011**. If Plaintiffs disputes that diversity jurisdiction exists in this matter, they should file a jurisdictional statement by **June 13, 2011** setting forth any reasons they do not believe this Court can exercise diversity jurisdiction.

06/03/2011

A handwritten signature in black ink that reads "Jane Magnus-Stinson". The signature is written in a cursive, flowing style.

Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana

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